

DANIEL P. MOYNIHAN
NEW YORK

EX PARTE OR LATE FILED

MM 92-235

United States Senate

WASHINGTON, DC 20510-3201

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MAR 26 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

DOCKET FILE COPY ORIGINAL

92-235/

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Quello:

I have received letters from a number of constituents regarding an FCC proposal to increase capacity in the radio spectrum by narrowing bandwidths in certain frequency ranges. My constituents have concerns about the safety of flying model airplanes under the proposed changes. Their concerns, if valid, should be considered as you prepare a final rule. I include these letters so that you may directly consider them.

Sincerely,


Daniel Patrick Moynihan

The Honorable James M. Quello
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

(13) Letters attached

No. of Copies rec'd 0
List ABCDE

NEW YORK OFFICE PHONE CALLS

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MAR 26 1993

NAME

Ken Holtz

FEDERAL COMMUNICATIONS COMMISSION

ADDRESS

9912 65 Rd. (65)

OFFICE OF THE SECRETARY

Elser, N.Y. 11374

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February 1, 1993
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Daniel Moynihan
United State Senate
Washington, D.C. 20510

I have been interested in aviation for as long as I can remember. I am very active in a local club whose members enjoy constructing and operating radio control model airplanes.

I am extremely concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weight as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

27 Emmerson Ave
Amityville, NY 11701
February 16, 1993

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MAR 26 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable P. Moynihan
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Moynihan:

I am a member of Hechscher Model Yacht Club in Huntington New York. This is a group of over 30 avid radio controlled model yacht enthusiasts. I enjoy many aspects of radio controlled sailing, from building the models to participating in competitive events.

Most of our radio frequencies are in the 75 MHz band. This band is shared with private land mobile dispatch operations. However, our radio control frequencies in this band are far enough from the land mobile frequencies that both exist without interfering with each other.

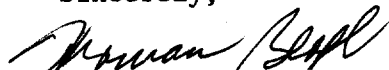
Now the Federal Communications Commission (FCC) is considering PR Docket 92-235. This will create more land mobile frequencies by splitting them into a narrower bandwidth and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. Of our frequencies in the 75 MHz band over one third will not be usable if the new rules are adopted.

Safe, enjoyable participation in this hobby requires the careful coordination and use of radio control frequencies. We have a designated Frequency Coordinator in the club as the task is such an important one. If the number of usable frequencies is diminished, as proposed by PR Docket 92-235, the remaining frequencies will become congested and interference from other sources may occur.

I am obviously opposed to the FCC proposal. I do not think it is right for the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment on our models and equipment. Model yachting provides hours of enjoyment to thousands of hobbyists and spectators alike.

Please help me continue the safe enjoyment of my hobby by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,



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MAR 26 1993

340 Prospect Avenue
FEDERAL COMMUNICATIONS COMMISSION
East Aurora, New York 14055
OFFICE OF THE SECRETARY
February 27th, 1993

The Honorable Daniel Patrick Moynihan
United States Senate
464 Russell Senate Building
Washington, DC 20510

Dear Senator Moynihan:

I am actively involved in the sport and hobby of building and flying radio controlled model aircraft. I am very concerned about the proposed changes to the Federal Communications Commission's rules governing the allocation of frequencies that apply to my avocation. The proceeding is *Notice of Proposed Rule making NPRM FR Docket 92-235*. If adopted, the new rules would prevent the use of frequencies currently assigned for the control of model aircraft and surface vehicles due to a substantially increased risk of frequency conflicts that often result in loss of vehicle control. This invariable leads to a crash which usually results in the total destruction of the vehicle with the potentially serious damage to other property and injury to individuals.

The present radio frequency band allocation for our activity is between 72-76 MHz. This band is primarily used by land mobile dispatch operations. With the present rules, our frequencies are separated enough to allow both user groups to operate without any interference from the other. This separation was recently enhanced by regulations that became effective in 1991 making our older equipment obsolete. This represented a significant outlay on the part of most modelers for equipment upgrades and new radios.

The modeling public goes to great lengths to assure the safety of our sport for the benefit of not only the flyers themselves, but the great number of bystanders that are drawn to watch us. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is decreased due to the FCC rules, the remaining frequencies will be insufficient in number to accommodate the current population of flyers.

It is important for you to appreciate the magnitude of this hobby in terms of the number of participants, the dollar value of their presently owned equipment and the probable impact on the small businesses that serve them. The Academy of Model Aeronautics (AMA) has a membership of approximately 180,000, and the Sport Flyers Association (SFA) has recently reported a membership of about 40,000, and this is only a fraction of the total number involved. The average yearly investment of the population can be conservatively estimated to be about \$1000 each, for a total of almost \$200 million. I have acquired four control systems in the past three years for an investment of \$350 each. I have built one or two major aircraft each year for about \$600 each, with several hundred hours of labor. And, I believe I represent an average modeler. Given these figures, this hobby has a total effect on the economy approaching *\$1 billion per year!*

The FCC proposal, if enacted, would obsolete my entire investment in this hobby. I would be hard pressed to repeat this investment!

Please encourage the FCC to look elsewhere for suitable frequencies for the land mobile (pagers) service.

Thank you for your understanding and your help.

Sincerely,


Gregory A. Gleason

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MAR 26 1993

1438 Sherwood Avenue
N. Tonawanda, NY 14120
February 27, 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Daniel P. Moynihan
Senate Office Building
Washington, DC 20510

Dear Senator Moynihan

I have been interested in airplanes and aviation since I was five years old. I have been building models of all kinds since that time, only interrupted by World War Two and raising a family. While at war in 1943 I was still in aviation flying in B-29s. I am very active in a local Model Airplane Club whose members enjoy constructing and operating radio controlled model airplanes.

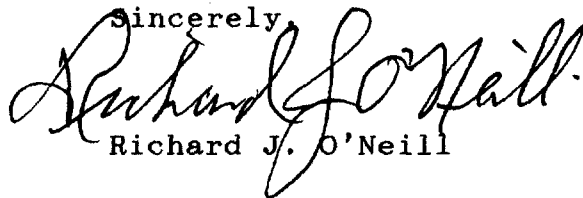
I am very concerned about proposed rules that are currently under consideration by the Federal Communication

of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72 - 76 MHz band

Sincerely,

A handwritten signature in cursive script, reading "Richard J. O'Neill". The signature is written in dark ink and is positioned above the printed name.

Richard J. O'Neill

3-1-93

Re HONORABLE Senator DANIEL MOYNIHAN
United States Senate

Washington D.C. - 20510

Regarding ^{IN PART} P.R. DOCKET 92-235 (FCC)

Dear Senator Moynihan

I am very concerned about the proposed rules
being considered by the FCC (PR DOCKET 92-235),
IF ADOPTED the new ^{FCC} rules will greatly reduce
USABILITY of Frequencies currently assigned for
radio-CONTROLLED MODEL AIRCRAFT use and ~~increase~~
increase the risk of Accidents and LIABILITY for
controlling MODEL AIRCRAFT.

I am retired and derive many hours of
 pleasure from BILLING & FLYING Radio

FEDERAL COMMUNICATIONS COMMISSION
1919 M ST. NW
WASHINGTON, D.C. 20554

DEAR SIR:

Mr. & Mrs.
Robert Fehrman
48 Fairview Ave.
Washington, NY 13904

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

8017 - 12th Avenue
Brooklyn, NY 11228
March 3, 1993

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MAR 26 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Daniel Moynihan
United States Senate
Washington, D.C. 20510

Dear Senator:

I am a retired individual with a passion for radio controlled model airplanes. The hours of enjoyment derived from building and seeing my own handy work take to the skies is the quintessence of my later years. I appeal to you as part of a generation past to intervene on a subject that strikes at the heart of just but a few individuals. Nothing earth

P. O. Box 8
South Shore Road
Old Forge, New York 13420

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February 16, 1993

MAR 26 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Daniel P. Moynihan
United States Senate
Washington D.C. 20510

I am retired and derive many hours of enjoyment from designing, building and flying radio controlled airplanes. I have enjoyed and participated in this hobby for over 25 years. I have 15 model airplanes and some 12 radios for their control. I am very active in a local club with over 200 members who also build and fly radio controlled airplanes. I am also a member of The Academy of Model Aeronautics whose membership is vast and has done much to promote the safety of this hobby.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,

Hamilton F. Biggar, Jr.
Hamilton F. Biggar, Jr.

The Honorable Daniel Moynihan
United States Senate
Washington DC 20510

Dear Senator Moynihan,

I'm very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

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When we fly our models under radio control, we go to great lengths to assure the safety of operators, bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We need the full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but, we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,
Michael L. Allstott

The Honorable Daniel Patrick Moynihan
United States Senate
Washington, D.C. 20510

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MAR 26 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Senator Moynihan:

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted. Additionally it is my understanding that the technical specifications for the new equipment allows a legal frequency tolerance which could place their signal directly on ours! Compounding the problem is the fact that mobile communications have almost four times the power output of our radios, leaving no chance for the model operator to maintain control of his/her craft in this situation.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve carefully coordination, monitoring and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 to 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even

death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and a contest where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment. In the case of mobile communications, a drift in the signal frequency may only cause static. In model operations interference from an to close adjacent frequency will cause the operator to lose radio control of his/her airplane and the potential of a serious injury or damage to property.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio control equipment, many of us in excess of \$3000.00. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72 - 76 MHz band.

Thank You for your time and consideration.

Sincerely,

Richard W Crauch

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MAR 26 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

7000 Cleary Rd.
Hemlock, N.Y. 14466
March 8, 1993

The Honorable Daniel P. Moynihan
U.S. Senate
464 Russel Office Bldg.
Washington, D.C. 20510

Dear Senator Moynihan:

I am very active in a local club whose members enjoy

JOHN H. FROHBERG
27 PARK CIRCLE
MIDDLETOWN, NY 10940

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MAR 26 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
March 2, 1993

Hon. Daniel Patrick Moynihan
United States Senate
Washington, D.C. 20515

Dear Senator Moynihan,
I am a recently retired New York City Police
Lieutenant; I served thirty six years. I am
an Air Force veteran of the Korean War and an
inactive aircraft pilot. I am also also a
life long model airplane hobbyist. Model
airplanes these days are controlled in flight
by radio (some are).

We radio control hobbyists, aircraft, cars and boats,
operate in the 72-76 MHz band which is remarkable

frequencies allocated to R/C cars and boats, a total loss of 41 frequencies..

Our models were built to be used in the future to

March 6, 1993

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MAR 26 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Senator Daniel Moynihan
United States Senate
Washington, D.C. 20510

Dear Senator Moynihan,

I am a modeler who builds and flies radio control model aircraft. I have been doing so for the past 30 years. During that time I have gotten much pleasure not only from the flying and building, but also in helping young people in the communities that I have lived in, to get involved in modeling.

Over the years much has changed in the radio control industry that has made the sport more enjoyable and safe. The most recent change started over five years ago. At that time, the governing body that my model club operates